



INTERIOR BOARD OF INDIAN APPEALS

Janice M. McKay v. Great Plains Regional Director, Bureau of Indian Affairs

37 IBIA 157 (02/27/2002)



United States Department of the Interior

OFFICE OF HEARINGS AND APPEALS
INTERIOR BOARD OF INDIAN APPEALS
801 NORTH QUINCY STREET
SUITE 300
ARLINGTON, VA 22203

JANICE M. McKAY,
Appellant

v.

GREAT PLAINS REGIONAL
DIRECTOR, BUREAU OF
INDIAN AFFAIRS,
Appellee

: Order Dismissing Appeal as Moot
:
:
:
: Docket No. IBIA 02-7-A
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:
:
: February 27, 2002

This is an appeal from a September 18, 2001, decision of the Great Plains Regional Director, Bureau of Indian Affairs, holding that the Spirit Lake Nation (formerly Devils Lake Sioux Tribe) held a valid right-of-way over Lot 4, sec. 6, T. 152 N., R. 64 W., 5th P.M., Benson County, North Dakota.

The Board received the administrative record on December 27, 2001. In her transmittal memorandum, the Regional Director stated that the land at issue was sold to the Spirit Lake Nation on August 30, 2001, by Appellant and her siblings. The Regional Director enclosed copies of the approved deeds and argued that this appeal was now moot.

In light of the Regional Director's contention, the Board ordered Appellant to show why this appeal should not be dismissed as moot. Appellant's response was due on or before January 21, 2002. No response has been received.

Therefore, pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 C.F.R. § 4.1, this appeal is dismissed as moot.

//original signed

Anita Vogt
Administrative Judge

//original signed

Kathryn A. Lynn
Chief Administrative Judge